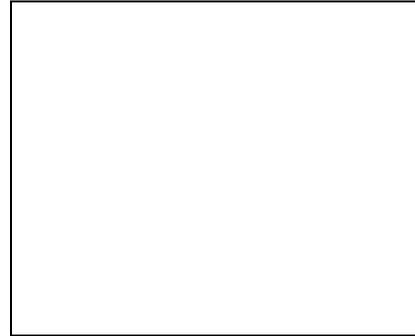


**Town of Fairhaven
Board of Public Works Meeting
September 8, 2014**

Present

Michael Ristuccia, Commissioner
Robert Hobson, Commissioner
Kathleen Sturtevant, Commissioner
Brian Wotton, Commissioner
G. Steven Riley, Commissioner
Vincent Furtado, BPW Superintendent
Kathy Tripp, Administrative Assistant
Linda Schick, Sewer Superintendent
Douglas Pinard, Sewer Department
George Belanger, Teamsters



I. Call to Order

Mr. Ristuccia called the meeting to order at 6:00 p.m.

II. Routine Matters

A. Signing of Departmental Bills

III. Approval of Minutes

A. August 25, 2014

Mr. Riley motioned to approve the minutes of the August 25, 2014 meeting. Mr. Wotton seconded. Vote unanimous.

IV. Appointments

A. Douglas Pinard, George Belanger, Teamsters – Flex Time

Mr. Furtado – A couple weeks ago Doug submitted a request. Flex time is in the sewer union contract. There is a provision that if folks want to be on a flex outside of the 8:00 to 4:30 provision the Sewer Superintendent agrees directed to come before the Board. Doug did that and it was tabled to tonight. Requested you to come in is what led this to here. Doug is still seeking the request which was made back in august.

Mr. Riley – I guess last year the vote was 4-1 or 3-2 that we allowed to have Doug to have flex for a personal situation for the school year and he is back again this year. Me personally, I gave my interpretation of how flex time works, business vs. government, doctor, lawyer, personal change in their shift by an hour and kind of work them on a need base system. Gravely injured that's how I view flex time. That should be used for those types of circumstances a benefit for the employee. Employee

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came before the BPW and he thought his job performance would be better because of the way the treatment plant runs. The employee came before us. We didn't solicit it.

Mr. Belanger – It's been in the contract for many years and why it was created I don't know. Get together with the union and the Board to ask for a time when the occasion would arise when they need it. He's not interrupting the operation. I know Doug has used it before and there hasn't been any stipulations put on it. Rather than why can't it, it's benefited as why we can. Doug is looking for the time because it warrants his being present with his family. I appreciate your understanding in a private sector. There is the added language if in excess of thirty days it would come before the Board.

Mr. Riley – Is it fair to assume past practice is fair amount of time that employees have their shift changed because of a personal nature?

Mr. Belanger – I don't know how many times it was not approved.

Mr. Riley – The other question I had is that in the end, whatever the decision is, it has to be for the operational standards and one of my concerns is debate about two people at one time. Two or three could have been more that wanted to use flex time multiple times out because the place has to operate. Another employee comes in with a similar situation six months to have his shift changed. At some point in time whatever the decision the board makes, it's how the business operates and not the employee.

Mr. Belanger – If five other people want to do the same thing you would take it on a case by case basis.

Mr. Hobson – I voted against it last year and I will vote against it this year. Occasionally somebody has to go to the doctor. This gentleman here wants seven or eight months to drop off his child at school. Other fifteen employees, they want it, they can't get it. The Sewer Department is the only department that has flex time. They have comp time. He could use comp time, sick time, personal days. There are all these together things as an option of taking other than flex time. I think flex time is out of control eight months verse three. This young lady could grant it. We could tell her once a week. He wants five days a week. I know other people who wanted to use it and they were denied.

Mr. Belanger – Did they ask for flex time?

Mr. Hobson – Did other people ask for flex time?

Ms. Schick – Yes.

Mr. Belanger – It doesn't say that in the contract. I'm not here to shut down your operation. We are here to talk about it.

Mr. Hobson – We've had other departments they might want to work 7:00 to 3:30. We got flex, comp, sick and personal days. If every person had to drop somebody off I don't know what we'd do.

Mr. Belanger – Are you saying he should call in sick?

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Mr. Ristuccia – I understand and I thank you. Flex time is in the contract. Case by case business. I think we do a pretty good job. Linda does. I'm sorry to shut you off.

Mr. Belanger – We are trying to work with you.

Mr. Ristuccia – We asked to have you come here. Mr. Riley has his opinion and so does Mr. Hobson. We all have different opinions. Try to come to one close to one.

Mr. Wotton – I have I have no problem with anybody taking flex time. Is there another option, lunch hour?

Mr. Pinard – No. One of the things, I am the only operator at West Island. I am by myself all day. Coming in an hour early and leave early. If there is something going on I will get him and come back.

Mr. Wotton – Somebody else wants flex time. Next Thursday we are asking you to give up that day.

Mr. Pinard – There are only four of us and one guy not so much in the winter, four out of eleven. If there is an emergency I will try to work something out. I know Linda doesn't like to be shorthanded. Case by case basis. Nobody out still a body there for eight hours.

Mr. Wotton – I have no problem as long as other employees can use it. Ask you to not take those days. Work together.

Mr. Pinard – I offered that last year.

Ms. Sturtevant – He just asked my question about lunch.

Mr. Ristuccia – Do you recall what led this being in the contract?

Ms. Schick – There was an employee who had a family issue. It was not a policy at the time.

Mr. Riley – Before there was no flex time. Somebody needed it and wanted it. Is says it is granted. Two years from now are you going to call this past practice and they automatically get it?

Mr. Belanger – It's a case by case basis. It ended it up in the contract. It was past practice and it evolved if we do it have it in the contract. To that point it's already a past practice. You have the flexibility to approve or deny.

Mr. Wotton – This case. You have a five member crew and that person comes in early.

Mr. Belanger – Case by case basis. In this instance somewhere else absolutely. At that point you deal with it.

Mr. Wotton – We have to be fair and consistent across the board.

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Mr. Ristuccia – When this flex time was put into being, it wasn't for use of convenience. It was use of necessity and it was allowed when somebody had a situation. It's very difficult to be able to handle those needs. I think that the spirit is what I have to. I represent the people in the Town of Fairhaven and the people are speaking thru me. What is right is right. My opinion is that the spirit of flex time by allowing somebody to change their hours in his own personal way. Full time employee work 8 hours, 8:00 to 4:30 p.m. That is what we really do there. They have the right to do that.

Mr. Belanger – It makes no reference for that.

Mr. Ristuccia – Longer than the thirty days it comes before the Board.

Mr. Belanger – What does the spirit mean?

Mr. Ristuccia – Black and white. “Flex time is a work schedule which allows employees to work hours that are not within the standard 8:00 a.m. to 4:30 schedule. Flex time may be allowed with approval from the Sewer Superintendent, as in the past. Flex time may be granted when it is reasonable and practical to do so and where operational needs will not be adversely affected. Flex time use by an employee for more than thirty (30) days will need approval by the Sewer Superintendent and review and approval of the Board of Public Works.” When we look at that, Mr. Pinard works over at the West Island Plant. A month from now there could be a rotating schedule. Then he is not going to be alone.

Mr. Belanger – No longer reasonable and practical and now it would be adversely affected. At this point is it reasonable to give Doug that time off. In this particular case this is his situation and this is where he is at. Can we do it?

Mr. Ristuccia – I agree with what you said.

Mr. Hobson – If somebody had to take their mother to the doctor, somebody to drop their kid off at high school.

Mr. Belanger – That is very important to some people. It's in the contract. We can disagree on what the meaning is. You were going to deny even before we started.

Mr. Riley – Thinking forward one year and a half renegotiate. Forecasting if the language was a little bit more flexible for the hours of work. If that changed, 7:00 to 3:30 because the constraints to run the facility than it has for the last thirty years. All think collectively together flexibility in the hours of operation.

Mr. Pinard – I've been here a long time. We asked for that and the Board had a different standpoint and it was denied. I hate to forecast out that was an option from our side.

Mr. Furtado – Flex time is in the contract. Whether you agree or not agree. The venue is to negotiate with the union. Allow it or don't. It can be extended for a period of time. No disrespect I appreciate George coming in. He is going to be slanted to the union. It's there. The other two groups get along comp or vacation. But as it is currently there, he is following what's there.

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Mr. Hobson motioned that we deny.

Mr. Wotton motioned to approve Doug to take flex time unless another employee comes to the table and then a decision is made by the Superintendent for that day. Ms. Sturtevant seconded.

Mr. Ristuccia motioned to allow Doug to take flex time but not to give it an open end, sixty days and before the sixty days request it again and then review at that time. Mr. Riley seconded.

Mr. Wotton amended his motion to allow sixty days and unless somebody else request it. Mr. Riley seconded.

Mr. Wotton's amended motion: Mr. Riley seconded. 4-1 in favor with Mr. Hobson opposed.

Mr. Furtado – We are still working out the details for the next agenda for the next meeting on the 22nd. In a nutshell we are having problems with the generator for the Digester.

Ms. Schick – Basically the whole top of the engine needs to be rebuilt. Kraft, the supplier of the generator wants to enter into a full contract with them do the repair, operating maintenance and everything else. It is \$4.32 per run hour which is almost \$40k a year. I have to do a cost analysis.

Mr. Wotton – Do you have a cost to fix now?

Ms. Schick – No.

Mr. Wotton – Maintenance check it two times a week.

Ms. Schick – It had a one year warranty. It has 4400 hours on it. We've had it for two years.

Mr. Furtado – The Assistant Superintendent was using a vehicle and the vehicle was found where it shouldn't have been and we took it away. He is asking if he can use it again. Address it at the next meeting.

V. Items for Action

A. Tata & Howard Engineering Services – Causeway Bridge Water Main Crossing

Mr. Furtado - Inspection report for the bridge that's on Goulart Memorial Drive. This was done a little bit more than a year ago now. Their criteria they use are one to nine. The construction integrity is in bad shape. Four and below we have to fix. We have a four on the utilities. Tata & Howard has provided us with a scope. They met us out there some time ago and they will provide us an assessment with the best way to correct the problem. In your packet is Tata & Howard's contract proposal agreement that we want you to sign to do the work.

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Mr. Ristuccia – So looking at those pictures it is in very dire need. Caption critical condition. I can say that I have been under that bridge in a boat and it is very bad.

Mr. Furtado – Part of it will be insuring that the folks on the Island still get water. Pipe needs to be repaired.

Mr. Furtado - It's a matter of when not what.

Mr. Riley – No issues with it at all. Money well spent. It needs to be fixed. Utilities did a lot of work. It should have been addressed back then.

Mr. Wotton – Needs to be done.

Mr. Wotton motioned to approve the engineering agreement with Tata & Howard in the amount of \$14,500 for the water main crossing on Goulart Memorial Drive Causeway. Ms. Sturtevant, Mr. Wotton and Mr. Riley in favor. Mr. Ristuccia and Mr. Hobson abstained because they are property owners on West Island.

B. SRPEDD – Request for Safety Study

V – Letter to SRPEDD to request them to do an intersection study at David drown and Scoticut Neck Road where the bike path is. We know what we need to do there. Narrow... SRPEDD offer per their protocol come from the board. Premise is to narrow the road

R authorization to send letter. B seconded. Vote unanimous.

VI. Board Members, Superintendent – Old Business / New Business

Mr. Hobson – Adams to Green on Route 6, the grass is growing out of the road. Call the State to do it. A lot of the side streets the brush is growing over the side. When they get a chance.

Mr. Ristuccia – Balsam and Causeway on the north side of the causeway. Only one lane can pass by.

Ms. Sturtevant – I was called by Mike Bouvier who is a Police Officer about Cushman Park that on Sunday, September 28th he wanted to do a winter festival in memory of Matt Roderiques Foundation. They have an insurance policy and they want to make it with snow at Cushman Park for the kids. He was wondering and asked permission. They wanted to move forward. They had been to the schools and talked with Warren and he said it's BPW. The only thing he was asking if one of the employees that maybe the Town would allow them to get the snow with the dump truck but we would have to pay them time and one-half. I told him I can put that out there and ask.

Mr. Ristuccia – My only issue is if there was an accident. That's a whole different can of worms.

Mr. Wotton – I'm good.

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Mr. Riley – Ramp up our cross training practices. We talked about this two or three meetings ago. The last thing is for budget 2015; as you drive around Town there is a little added expense but I would like to change our flowable fill not to put on certain roads but all of them. It makes for much more lasting trench out.

Mr. Furtado – We got a call for a piece of property that may have erected a wall in a portion of the Town layout. It may have been inadvertent. None the less, we are pretty certain that they did. Would you folks want me to invite the homeowner or the contractor to our next meeting? It's a good 4, 5, 6' in the Town layout. They would need a waiver from you.

Mr. Ristuccia – How long is the wall?

Mr. Riley – Probably sixty feet.

Mr. Furtado – John and I went out there. A portion of the wall is on Town property.

Mr. Riley – Part of the road was constructed and allowed to stay how it was which is improper of the assumption that the road is in the right place.

Mr. Ristuccia – Invite them in on the 22nd.

VII. Set Date for the Next Meeting

Mr. Riley motioned to hold the next two meetings on September 15, 2014 at 6:00 to meet with the Board of Health and also on September 22, 2014 at 6:00 p.m. Mr. Wotton seconded. Vote unanimous.

Mr. Wotton – At the last meeting we talked about our rates for our drainlayers fees.

Ms. Tripp – I have contacted a couple of Towns. I am waiting for a few more.

VIII. Adjourn

Mr. Wotton motioned to adjourn at 7:07 p.m. Ms. Sturtevant seconded. Vote unanimous.

Respectfully submitted,

Kathy A. Tripp
Administrative Assistant

Minutes approved on September 15, 2014.